

**REMARKS**

Claims 1-55, 59-61, 65, 67, 69, 71 and 73-75 are pending in the present reissue application. Applicants note with appreciation that the claims have been allowed in view of the prior art. In the pending Office Action, the Examiner rejected the claims under 35 U.S.C. § 251 for two reasons.

First, the Examiner noted that original reissue declarations filed on October 12, 2001 and June 18, 2004 state an error that apparently is no longer applicable. The supplemental reissue filed on June 22, 2007 was also found deficient as it did not state an error. Applicants herewith submit a new reissue declaration stating an error.

Second, the Examiner noted that the original reissue declarations filed in 2004 and 2001 fail to address the amendments made during prosecution in February 2005. The Examiner requests that a supplemental reissue declaration be filed. Applicants respectfully note that a supplemental reissue declaration was filed in June 2007. Because this supplemental reissue declaration was filed in 2007, it directly addresses the amendments made in 2005. Accordingly, no new supplemental declaration is necessary. Furthermore, Applicants note a new reissue declaration has also been submitted herewith.

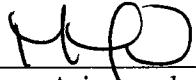
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032020730.

Dated: December 18, 2008

Respectfully submitted,

By   
Mehran Arjomand

Registration No.: 48,231  
MORRISON & FOERSTER LLP  
555 West Fifth Street, Suite 3500  
Los Angeles, California 90013  
(213) 892-5630